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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 George Lopez,

13 Petitioner,

14 v.

15 Calvin Johnson, *et al.*,

16 Respondents.

Case No. 2:20-cv-01496-RFB-VCF

**Unopposed Motion to Extend Time  
to File Amended Petition**

**(Sixth request)**

1       Petitioner George Lopez respectfully moves for an extension of 14 days to file  
2 his amended petition under 28 U.S.C. § 2254, up to and including May 8, 2023. The  
3 amended petition is currently due on April 24, 2023.<sup>1</sup> Respondents, by Deputy  
4 Attorney General Gerri Hardcastle, do not object to this request for an extension.  
5 Respondents' lack of objection to this request should not be construed as a waiver of  
6 any procedural defense or argument. This is Lopez's sixth request for an extension.

7       Lopez filed his *pro se* petition in this Court on August 12, 2020.<sup>2</sup> The Court  
8 ordered Lopez to show cause why the petition should not be dismissed as untimely.<sup>3</sup>  
9 Lopez responded,<sup>4</sup> and the Court found Lopez had "demonstrated both an  
10 extraordinary circumstance and diligence," warranting equitable tolling.<sup>5</sup> The Court  
11 also appointed the Federal Public Defender's Office to represent Lopez and file a  
12 counseled amended petition.<sup>6</sup> The Federal Public Defender's Office appeared for  
13 Lopez on October 15, 2021.<sup>7</sup> Undersigned counsel appeared for Lopez on September  
14 13, 2022.<sup>8</sup>

15       Undersigned Counsel respectfully submits that additional time is necessary to  
16 properly prepare the amended petition. Undersigned counsel obtained an expert to  
17 meet with Lopez in furtherance of the case investigation. The expert met with Lopez  
18 on December 3, 2023, and sent counsel his report based on his findings on Friday,  
19 April 21, 2023. Lopez requests this additional extension to finalize the amended  
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21       <sup>1</sup> ECF No. 31.

22       <sup>2</sup> ECF No. 1-1.

23       <sup>3</sup> ECF No. 9.

24       <sup>4</sup> ECF No. 12.

25       <sup>5</sup> ECF No. 17.

26       <sup>6</sup> ECF No. 19.

27       <sup>7</sup> ECF No. 18.

<sup>8</sup> ECF No. 27.

1 petition in light of the new report from the expert. Undersigned Counsel does not  
2 anticipate needing any future extensions.

3 This motion is not filed for the purposes of delay, but in the interests of justice  
4 and the interests of Mr. Lopez. Counsel respectfully asks this Court to grant Lopez's  
5 request to extend the time for filing his amended petition by 14 days until May 8,  
6 2023.

7 Dated April 24, 2023.

8 Respectfully submitted,

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10 Rene L. Valladares  
11 Federal Public Defender

12 /s/ Laura Barrera

13 Laura Barrera  
14 Assistant Federal Public Defender

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17 IT IS SO ORDERED:

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20 RICHARD F. BOULWARE, II  
21 UNITED STATES DISTRICT JUDGE

22 DATED this 25th day of April, 2023.  
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